

# House Study Bill 158

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
HUMAN SERVICES BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act revising family investment program requirements.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
3 TLSB 1247DP 82  
4 jp/gg/14

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1 1 DIVISION I  
1 2 GENERAL FAMILY INVESTMENT PROGRAM CHANGES  
1 3 Section 1. Section 239B.1, subsection 10, Code 2007, is  
1 4 amended to read as follows:  
1 5 10. "Participant" means a person who is receiving full or  
1 6 partial family investment program assistance. For the  
1 7 purposes of sections 239B.8 and 239B.9, "participant" also  
1 8 includes each individual who does not directly receive  
1 9 assistance but who is required to be engaged in work or  
1 10 training options specified in the participant's family  
1 11 investment agreement entered into under section 239B.8.  
1 12 Sec. 2. Section 239B.4, subsection 1, Code 2007, is  
1 13 amended to read as follows:  
1 14 1. The department is the state entity designated to  
1 15 administer federal funds received for purposes of the family  
1 16 investment program and the JOBS program under this chapter,  
1 17 including, but not limited to, the funding received under the  
1 18 federal temporary assistance for needy families block grant as  
1 19 authorized under the federal Personal Responsibility and Work  
1 20 Opportunity Reconciliation Act of 1996, Pub. L. No. 104=193,  
1 21 as reauthorized under the federal Deficit Reduction Act of  
1 22 2005, Pub. L. No. 109=171, and as codified in 42 U.S.C. } 601  
1 23 et seq., and as such is the lead agency in preparing and  
1 24 filing state plans, state plan amendments, and other reports  
1 25 required by federal law.  
1 26 Sec. 3. Section 239B.7, subsection 1, Code 2007, is  
1 27 amended to read as follows:  
1 28 1. WORK EXPENSE DEDUCTION. If an individual's earned  
1 29 income is considered by the department, the individual shall  
1 30 be allowed a work expense deduction equal to twenty percent of  
1 31 the earned income. The work expense deduction is intended to  
1 32 include all work-related expenses other than child care.  
1 33 These expenses shall include but are not limited to all of the  
1 34 following: taxes, transportation, meals, uniforms, and other  
1 35 work-related expenses. ~~However, the work expense deduction~~  
2 1 ~~shall not be allowed for an individual who is subject to a~~  
2 2 ~~sanction for failure to comply with family investment program~~  
2 3 ~~requirements.~~  
2 4 Sec. 4. Section 239B.7, subsection 5, Code 2007, is  
2 5 amended to read as follows:  
2 6 5. INCOME CONSIDERATION. If an individual has timely  
2 7 reported an absence of income to the department, consideration  
2 8 of the individual's income shall cease beginning in the first  
2 9 month the income is absent. ~~However, this provision shall not~~  
2 10 ~~apply to an individual who has quit employment without good~~  
2 11 ~~cause as defined in rules.~~  
2 12 Sec. 5. Section 239B.8, subsection 2, Code 2007, is  
2 13 amended to read as follows:  
2 14 2. AGREEMENT OPTIONS. A family investment agreement shall  
2 15 require an individual who is subject to the agreement to  
2 16 participate engage in one or more of the work or training  
2 17 options enumerated in this subsection. An individual's level  
2 18 of participation engagement in one or more of the work or  
2 19 training options shall be equivalent to the level of  
2 20 commitment required for full-time employment or shall be

2 21 significant so as to move the individual's level of  
2 22 ~~participation engagement~~ toward that level. The department  
2 23 shall adopt rules for ~~each option~~ defining option requirements  
2 24 and establishing assistance provisions for child care,  
2 25 transportation, and other support services. A leave from  
2 26 engagement in work or training options shall be offered to a  
2 27 participant parent to address the birth of a child. If such a  
2 28 leave is requested by the parent, the leave shall meet the  
2 29 childbirth purpose standard and the combined duration of the  
2 30 leave shall not exceed the minimum leave duration, as outlined  
2 31 in the federal Family and Medical Leave Act of 1993, } 102(a)  
2 32 and (b)(1), as codified in 29 U.S.C. } 2612(a) and (b)(1).

2 33 The terms of the leave shall be incorporated into the family  
2 34 investment agreement. The work or training options shall  
2 35 include but are not limited to all of the following:  
3 1 a. Employment. Full-time or part-time employment.  
3 2 b. Employment search. Active job search.  
3 3 c. JOBS. Participation in the JOBS program.  
3 4 d. Education. Participation in other education or  
3 5 training programming.  
3 6 e. Family development. Participation in a family  
3 7 development and self-sufficiency grant program under section  
3 8 217.12 or other family development program.  
3 9 f. Work experience. Work experience placement.  
3 10 g. Community service. Unpaid community service.  
3 11 Community service shall be authorized in any nonprofit  
~~3 12 association which has been determined under section 501(c)(3)~~  
~~3 13 of the Internal Revenue Code to be exempt from taxation or in~~  
~~3 14 any government agency. Upon request, the department shall~~  
~~3 15 provide a listing of potential community service placements to~~  
~~3 16 an individual. However, an individual shall locate the~~  
~~3 17 individual's own placement and perform the number of hours~~  
~~3 18 required by the agreement. The individual shall file a~~  
~~3 19 monthly report with the department which is signed by the~~  
~~3 20 director of the community service placement verifying the~~  
~~3 21 community service hours performed by the individual during~~  
~~3 22 that month. The department shall develop a form for this~~  
~~3 23 purpose.~~

3 24 h. Any other Parenting skills. Participation in an  
3 25 arrangement which would strengthen the individual's ability to  
3 26 be a better parent, including but not limited to participation  
3 27 in a parenting education program. Parental leave from  
~~3 28 employment shall be authorized for a parent of a child who is~~  
~~3 29 less than three months of age. An opportunity to participate~~  
~~3 30 in a parental education program shall also be authorized for~~  
~~3 31 such a parent. An individual who is not a parent who is~~  
~~3 32 nineteen years of age or younger or a parent of a child who is~~  
~~3 33 less than three months of age shall simultaneously participate~~  
~~3 34 in at least one other option enumerated in this subsection.~~

3 35 i. Family or domestic violence. Participation in a safety  
4 1 plan to address or prevent family or domestic violence. The  
4 2 safety plan may include a temporary waiver period from  
4 3 required participation in the JOBS program or other  
4 4 employment-related activities, as appropriate for the  
4 5 situation of the applicant or participant. All applicants and  
4 6 participants shall be informed regarding the existence of this  
4 7 option. Participation in this option shall be subject to  
4 8 review in accordance with administrative rule.  
4 9 j. Incremental family investment agreements. If an  
4 10 individual participant or the entire family has an  
4 11 acknowledged barrier, the ~~individual's or family's~~ plan for  
4 12 self-sufficiency may be specified in one or more incremental  
4 13 family investment agreements.

#### 4 14 DIVISION II

#### 4 15 FAMILY INVESTMENT PROGRAM WORK INCENTIVE

#### 4 16 DISREGARD

4 17 Sec. 6. Section 239B.7, subsection 2, Code 2007, is  
4 18 amended to read as follows:

4 19 2. WORK=AND=EARN INCENTIVE. If an individual's earned  
4 20 income is considered by the department, the individual shall  
4 21 be allowed a work=and=earn incentive. The incentive shall be  
4 22 equal to ~~fifty~~ fifty=eight percent of the amount of earned  
4 23 income remaining after all other deductions are applied. The  
4 24 department shall disregard the incentive amount when  
4 25 considering the earned income available to the individual.  
4 26 The incentive shall not have a time limit. The work=and=earn  
4 27 incentive shall not be withdrawn as a penalty for failure to  
4 28 comply with family investment program requirements.

#### 4 29 EXPLANATION

4 30 This bill revises provisions administered by the department  
4 31 of human services (DHS) under Code chapter 239B involving the

4 32 family investment program (FIP).  
4 33 GENERAL FAMILY INVESTMENT PROGRAM CHANGES. This division  
4 34 relates to general FIP changes. Code section 239B.1,  
4 35 providing definitions for FIP, is amended to expand the  
5 1 definition of the term "participant". Current law limits the  
5 2 term to persons who receive full or partial FIP assistance.  
5 3 The bill provides that for purposes of Code section 239B.8,  
5 4 relating to family investment agreements, and Code section  
5 5 239B.9, relating to limited benefit plans, the term also  
5 6 refers to each individual who does not receive FIP cash  
5 7 assistance directly but is required to be engaged in work or  
5 8 training options under a family investment agreement.  
5 9 Code section 239B.4, relating to the role of DHS regarding  
5 10 FIP, is amended to update citations to the federal law  
5 11 providing the federal funding for the program. This federal  
5 12 law, known as the Temporary Assistance for Needy Families, or  
5 13 TANF Block Grant, was reauthorized as part of the federal  
5 14 Deficit Reduction Act of 2005.  
5 15 Code section 239B.7, relating to income and resource  
5 16 exemptions, deductions, and disregards used to determine FIP  
5 17 program eligibility, is amended. The bill eliminates a  
5 18 prohibition against allowing a work expense deduction for an  
5 19 individual who is subject to a certain type of sanction. The  
5 20 bill also eliminates an exception in a provision addressing  
5 21 when a timely reported loss of income is considered.  
5 22 Code section 239B.8, relating to family investment  
5 23 agreement requirements, is amended in conformance with the  
5 24 definition amendment made in Code section 239B.1. Terminology  
5 25 is modified to utilize "engage" and "engagement" in place of  
5 26 "participate" and "participation" when referring to required  
5 27 involvement with an option.  
5 28 Code section 239B.8 is also amended to clarify that  
5 29 parental leave in the event of childbirth must conform to the  
5 30 childbirth purpose standard and limit the duration of the  
5 31 leave to the minimum duration outlined in the federal Family  
5 32 and Medical Leave Act of 1993. The federal law requires that  
5 33 the purpose of the leave is to care for a newborn son or  
5 34 daughter, specifies a minimum period of 12 weeks within the  
5 35 12-month period following the birth, and allows the leave  
6 1 period to be taken intermittently within the 12-month period.  
6 2 These provisions replace current law which authorizes as part  
6 3 of an agreement option parental leave for a parent of a child  
6 4 who is less than three months in age in combination with an  
6 5 opportunity for parental education.  
6 6 Code section 239B.8 is also amended to delete specific  
6 7 requirements under the agreement option for performing unpaid  
6 8 community service.  
6 9 FAMILY INVESTMENT PROGRAM WORK INCENTIVE DISREGARD. This  
6 10 division increases the amount of the FIP work-and-earn  
6 11 incentive applied under Code section 239B.7 as part of FIP  
6 12 eligibility determination from 50 to 58 percent. Under the  
6 13 incentive, the indicated percentage of earned income remaining  
6 14 after other deductions have been applied is disregarded.  
6 15 LSB 1247DP 82  
6 16 jp:nh/gg/14.1